

**UNITED STATES COURT OF APPEALS**

**FEB 7 1997**

**TENTH CIRCUIT**

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**PATRICK FISHER**  
Clerk

ARIC KNOX,

Petitioner-Appellant,

v.

RON WARD,

Respondent-Appellee.

No. 96-6297

(D.C. No. CIV-96-652-A)

(Western District of Oklahoma)

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**ORDER**

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Before **SEYMOUR**, Chief Judge; **PORFILIO** and **MURPHY**, Circuit Judges.

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Appellant has failed to demonstrate the denial of a constitutional right by showing the issues raised in his appeal are debatable among jurists; that a court could resolve the issues differently; or that the questions deserve further proceedings. Essentially for the reasons stated in the recommendation of the magistrate judge contained in the record, the certificate of appealability is **DENIED** and the appeal is **DISMISSED**. 28 U.S.C.

§ 2253(c)(2); *Lennox v. Evans*, 87 F.3d 431 (10th Cir. 1996).

ENTERED FOR THE COURT

John C. Porfilio  
Circuit Judge